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PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/804,973	
	Filing Date	March 19, 2004	
	First Named Inventor	KENNEDY	
	Art Unit	3764	
	Examiner Name		
Total Number of Pages in This Submission	5	Attorney Docket Number	6865-18-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	AKERMAN SENTERFITT Mark D. Passler, Registration No. 40,764
Signature	
Date	7-29-04

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Typed or printed	Mark D. Passler
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Date	7-29-04

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of KENNEDY et al.

Application No. 10/804,973

Examiner:

Filed: March 19, 2004

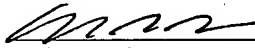
Group Art Unit: 3764

For: MESSAGE DEVICE

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**

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Reg. No. 40,764  
Mark D. Passler

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying forms PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. This application is a Continuation-In-Part of application No. 10/635,630, filed August 6, 2003. The parent application is relied on for an earlier filing date under 35 U.S.C. §120. The documents cited on the accompanying forms PTO/SB/08A were filed in Information Disclosure Statements filed in the parent application which complied with 37 CFR §1.98. Copies of the references are therefore not believed necessary.

The submission of the listed documents is not intended as an admission that any such documents constitute prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of forms PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed prior to the issuance of the first Office Action on the merits for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

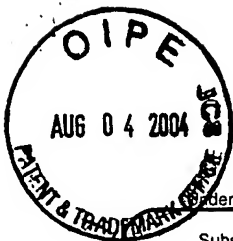
Respectfully submitted,

Dated: 7-29-04



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Registration No. 40,764  
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Post Office Box 3188  
West Palm Beach, FL 33402-3188  
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Docket No. 6865-18-2



PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/804,973
Filing Date	March 19, 2004
First Named Inventor	KENNEDY
Art Unit	3764
Examiner Name	
Attorney Docket Number	6865-18-2

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2001/0027280A1	10/04/2001	HUANG	
		US- 2002/0072693A1	06/13/2002	DEHLI	
		US- 4,151,623	05/01/1979	STEERE	
		US- 4,228,558	10/21/1980	ZHADANOV	
		US- 4,330,089	05/18/1982	FINKBEINER	
		US- 4,432,355	02/21/1984	DELLUC	
		US- 4,441,488	04/10/1984	MACABEE	
		US- 4,640,462	02/03/1987	STEARNS, III	
		US- 5,093,942	03/10/1992	LANG	
		US- 5,261,394	11/16/1993	MULLIGAN ET AL.	
		US- 5,279,284	01/18/1994	FENN	
		US- 5,294,054	03/15/1994	BENEDICT ET AL.	
		US- 5,300,095	04/05/1994	SALAZAR	
		US- 5,361,437	11/08/1994	ZHU ET AL.	
		US- 5,385,532	01/31/1995	SHYU	
		US- 5,417,644	05/23/1995	LEE	
		US- 5,447,491	09/05/1995	BELLANDI	
		US- 5,484,390	01/16/1996	CHIANG	
		US- 5,634,888	06/03/1997	HENKIN ET AL.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		DE 1 276 870	09/05/1968	SCHEUBECK		
		JP 08-186951	07/16/1996	HIDEO		
		FR-1 565 296-A1	04/25/1969	OETZEL OTTO		
		LU-87 718-A1	11/15/1991	FACO SA		
		FR-1 319 293-A1	02/22/1963	CANTON ET AL.		
		DE-198 56 910-A1	06/29/2000	GYLDENFELDT		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet **2** of **2****U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,704,547	01/06/1998	GOLAN ET AL.	
		US- 5,716,332	02/10/1998	NOBLE	
		US- 5,951,501	09/14/1999	GRINER	
		US- 6,021,353	02/01/2000	WANG	
		US- 6,039,703	03/21/2000	BADILLA	
		US- 6,146,342	11/14/2000	DELLUC	
		US- 6,151,728	11/28/2000	WRIGHT ET AL.	
		US- 6,165,145	12/26/2000	NOBLE	
		US- 6,199,771	03/13/2001	CLEARMAN ET AL.	
		US- 6,213,964	04/10/2001	PESOVIC ET AL.	
		US- 6,338,170	01/15/2002	DE SIMONE	
		US- 6,352,518	03/05/2002	NEE WOLF	
		US- 6,306,110	10/23/2001	MCELHANNON	
		US- 5,807,289	09/15/1998	CAMP	
		US- 5,893,180	04/13/1999	MORELAND	
		US-			
		US-			
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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